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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/023,105	12/17/2001	Chae-Whan Lim	678-769 (P9752)	2375
28249	7590	01/28/2005	EXAMINER	
DILWORTH & BARRESE, LLP 333 EARLE OVINGTON BLVD. UNIONDALE, NY 11553			ENG, GEORGE	
			ART UNIT	PAPER NUMBER
			2643	

DATE MAILED: 01/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/023,105	<b>Applicant(s)</b> LIM ET AL.	
	<b>Examiner</b> George Eng	<b>Art Unit</b> 2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 09 December 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3 and 5 is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okamoto et al. (US PAT. 6,633,231 hereinafter Okamoto) in view of Kawano (US 2001/0043271) and Thomason (US PAT. 6,317,039).

Regarding claim 1, Okamoto discloses a remote monitoring apparatus comprising a control monitoring unit (3r, figure 12) for remote monitoring, a mobile communication terminal (3, figure 1) including a camera unit (4, figure 1) for photographing a subject, for performing a call service and an image processing transmission service including an operation of photographing a subject with the camera unit (col. 10 lines 27-67), a support (2, figure 2) located in a remote place to be monitored and having the mobile communication terminal detachably mounted on the support (col. 15 line 8 through col. 16 line 29). Okamoto differs from the claimed invention in not specifically teaching the support being a dynamic support for controlling a posture of the mounted mobile communication terminal and positional movement of the dynamic support upon receiving a posture and position control command on the mounted mobile communication terminal from the monitoring unit and the mounted mobile communication terminal, wherein the posture and position control command including an absolute coordinate value to set the positional movement or rotation of the mounted mobile communication terminal or of the dynamic support. However, Kawano teaches a dynamic support (22, figure 1) having a holding mechanism (42, figure 3) detachably mounted with a camera unit comprising a controller (12, figure 1) for controlling a posture of the mounted camera and positional movement of the dynamic support upon receiving an operation control signal from external equipment, wherein the operation control signal including positional information, i.e., an absolute coordinate value, to set the positional movement or rotation of the dynamic support ([0041] through [0051] and [0071] through [0087]) in order to achieve the image capturing device, which is excellent in general versatility and low in cost and is capable of changing pan head control with no trouble. Therefore, it would have been obvious to a person of

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ordinary skill in the art at the time the invention was made to modify Okamoto in having the dynamic support for controlling a posture of the mounted mobile communication terminal and positional movement of the dynamic support upon receiving a posture and position control command on the mounted mobile communication terminal from the monitoring unit and the mounted mobile communication terminal, wherein the posture and position control command including an absolute coordinate value to set the positional movement or rotation of the mounted mobile communication terminal or of the dynamic support, as per teaching of Kawano, in order to achieve the image capturing device, which is excellent in general versatility and low in cost and is capable of changing pan head control with no trouble. Although Okamoto teaches to communicate image data over a portable telephone line network (Tm, figure 30 and col. 27 lines 15-21) and Kawano teaches to communicate operation control signals between the dynamic support and the external equipment via a communication network ([0049]), the combination of Okamoto and Kawano differs from the claimed invention in not specifically teaching to communicate the posture and position control command via a wireless Internet. However, it is old and notoriously well known in the art of utilizing a wireless Internet to carrying information, including control commands and image data between a local site and a remote site in order to make compatible with various wireless network, for example see Thomason (col. 3 lines 47 -61 and col. 6 lines 37-67). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of Okamoto and Kawano in communicating the posture and position control command via a wireless Internet, as per teaching of Thomason, in order to make compatible with various wireless network.

Regarding claim 2, Okamoto discloses a connector (19, figures 3-5) for performing communication between the mounted camera and the universal adapter (col. 10 line 62 through col. 11 line 11).

***Allowable Subject Matter***

4. Claims 3 and 5 are allowed.

***Response to Arguments***

5. Applicant's arguments with respect to claims 1-2 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

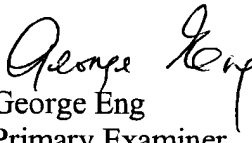
6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Chiang (US PAT. 6,809,759) discloses a remote control unit for an image capturing device comprising a Bluetooth module in both of a camera (11, figure 3) and a remote control unit (20, figure 3) so that a communication link is established between the Bluetooth modules (40 and 50, figure 3) for exchanging data (col. 2 line 28 through col. 5 line 14). Conway et al. (US PAT. 5,652,849) discloses a system for controlling devices remotely by embedding command information within video signals (abstract).

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Eng whose telephone number is 703-308-9555. The examiner can normally be reached on Tue-Fri 7:30 AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A. Kuntz can be reached on 703-305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
George Eng  
Primary Examiner  
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